



PTO/SB/21 (02-04)

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 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/789/678
		Filing Date	February 27, 2004
		First Named Inventor	Donald M. Besemer
		Art Unit	2811
		Examiner Name	TBD
Total Number of Pages in This Submission	7	Attorney Docket Number	1067.1H

### ENCLOSURES (check all that apply)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment / Reply                                   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer  | <input checked="" type="checkbox"/> Other Enclosure(s)<br>(please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund   | <b>PTO Form 1449 (4 pp.)</b>   |
| <input checked="" type="checkbox"/> Information Disclosure Statement         | <input type="checkbox"/> CD, Number of CD(s) _____                                      | <b>Postcard</b>  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <b>Remarks</b>  |  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   | <b>Reference: B1</b>  |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

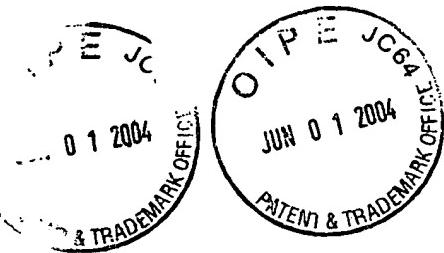
Firm or Individual name	Philip McGarrigle - Registration No. 31,395	
Signature		
Date	May 28, 2004	

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Ann Berridge	
Signature		Date

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PATENT

Attorney Docket No. 1067.1H

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Donald M. Besemer et. al.

Application No: 10/789,678

Filing Date: February 27, 2004

Title: Bioarray Chip Reaction  
Apparatus and its Manufacture

Examiner : TBD

Group Art Unit: 2811

INFORMATION DISCLOSURE  
STATEMENT

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR § 1.56, § 1.97 and § 1.98, the documents listed on the accompanying U.S. Patent & Trademark Office's Modified Form-1449 (4 pages) are called to the attention of the Examiner for consideration in connection with the above-identified patent application. Many of these references cited on attached form PTO-1449, were previously cited in the above-listed patent applications, with the exception of at least references A1, A80-A93, and B1.

Citation of these documents shall not be construed as (1) an admission that the documents are necessarily prior art with respect to the instant invention; (2) a representation that a search has been made; or (3) an admission that the information cited herein is, or is considered to be, material to patentability in any way, including that as defined in § 1.56(b).

Applicants believe that no fee is required for submission of this statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Account No. 01-0431 in order to have this Information Disclosure Statement considered.

authorized to charge the required fees to Account No. 01-0431 in order to have this Information Disclosure Statement considered.

Dated: May 28, 2004

Respectfully submitted,



Philip McGarrigle  
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PTO/SB/08a (08-03)

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of 4

**Complete If Known**

Application Number	10/789/678
Filing Date	February 27, 2004
First Named Inventor	Besemer
Art Unit	2811
Examiner Name	TBD

Attorney Docket Number 1067.1H

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
A1		6,682,702	01/27/04	Barth et al.	
A2		6,420,114	07/16/02	Bedilion et al.	
A3		6,399,365	06/04/02	Besemer et al.	
A4		6,287,850	09/11/01	Besemer et al.	
A5		6,258,593	07/10/01	Schembri et al.	
A6		6,215,894	04/10/01	Zeleny	
A7		6,186,659	02/13/01	Schembri	
A8		6,180,351	1/30/01	Cattell	
A9		6,140,044	10/31/00	Besemer et al.	
A10		6,121,048	09/19/00	Zaffaroni et al.	
A11		6,096,561	08/01/01	Tayi	
A12		5,961,923	10/05/99	Nova et al.	
A13		5,945,334	08/31/99	Besemer et al.	
A14		5,910,288	06/08/99	Schembri	
A15		5,851,488	12/22/98	Saul et al.	
A16		5,846,708	12/08/98	Hollis et al.	
A17		5,807,522	09/15/98	Brown et al.	
A18		5,800,992	09/01/98	Fodor et al.	
A19		5,757,666	05/26/98	Schreiber et al.	
A20		5,700,637	12/23/97	Southern	
A21		5,698,393	12/16/97	Macioszek et al.	
A22		5,677,195	10/14/97	Winkler et al.	
A23		5,639,612	06/17/97	Misuhashi et al.	
A24		5,637,469	06/10/97	Wilding et al.	
A25		5,631,734	05/20/97	Stern et al.	
A26		5,578,832	11/26/96	Trulson et al.	
A27		5,571,639	11/05/96	Hubbell et al.	
A28		5,498,392	03/12/96	Wilding et al.	
A29		5,494,124	02/27/96	Dove et al.	
A30		5,486,452	01/23/96	Gordon et al.	
A31		5,486,335	01/23/96	Wilding et al.	
A32		5,474,796	12/12/95	Brennan	

Examiner Signature	Date Considered
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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**Complete if Known**

Application Number	10/789/678
Filing Date	February 27, 2004
First Named Inventor	Besemer
Art Unit	2811
Examiner Name	TBD

Attorney Docket Number 1067.1H

A33	5,466,575	11/14/95	Cozzette
A34	5,451,500	09/19/95	Stapleton
A35	5,436,129	07/25/95	Stapleton
A36	5,384,261	01/24/95	Winkler et al.
A37	5,382,511	01/17/95	Stapleton
A38	5,374,395	12/20/94	Robinson et al.
A39	5,358,691	10/25/94	Clark et al.
A40	5,346,672	09/13/94	Stapleton et al.
A41	5,322,799	06/21/94	Miller
A42	5,320,808	06/14/94	Holen et al.
A43	5,314,829	05/24/94	Coles
A44	5,310,469	05/10/94	Cunningham et al.
A45	5,304,487	04/19/94	Wilding et al.
A46	5,300,779	04/05/94	Hillman et al.
A47	5,288,514	02/22/94	Elliman
A48	5,287,272	02/15/94	Rutenberg et al.
A49	5,281,540	01/25/94	Merkh et al.
A50	5,281,516	01/25/94	Stapleton et al.
A51	5,256,549	10/26/93	Urdea
A52	5,204,253	4/20/93	Sanford
A53	5,200,051	04/06/93	Cozzette et al.
A54	5,188,963	02/23/93	Stapleton
A55	5,153,319	10/06/92	Caruthers et al.
A56	5,143,854	09/01/92	Pirnung et al.
A57	5,141,813	08/25/92	Nelson
A58	5,047,524	09/10/91	Andrus et al.
A59	5,021,550	06/04/91	Zeiger
A60	4,992,383	02/12/91	Farnsworth
A61	4,963,498	10/16/90	Hillman et al.
A62	4,878,971	11/07/89	Tsunekawa et al.
A63	4,877,745	10/31/89	Hayes et al.
A64	4,853,335	08/01/89	Olsen et al.
A65	4,815,274	03/28/89	Piatti
A66	4,812,512	03/14/89	Buendia et al.
A67	4,780,504	10/25/88	Buendia et al.
A68	4,731,325	03/15/88	Palva et al.

Examiner Signature

Date Considered

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

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**Complete if Known**

Application Number	10/789/678
Filing Date	February 27, 2004
First Named Inventor	Besemer
Art Unit	2811
Examiner Name	TBD

Attorney Docket Number 1067.1H

A69	4,728,502	03/01/88	Hamil	
A70	4,500,707	02/19/85	Caruthers et al.	
A71	4,458,066	07/03/84	Caruthers et al.	
A72	4,373,071	02/08/83	Itakura	
A73	4,204,929	05/27/80	Bier	
A74	4,121,222	10/17/78	Diebold et al.	
A75	4,016,855	04/12/77	Mimata	
A76	3,802,966	04/09/74	Delektro et al.	
A77	3,710,933	01/16/73	Fulwlyer et al.	
A78	3,690,836	09/12/72	Buissiere et al.	
A79	3,281,860	10/96	Adams et al.	
A80	6,663,832	9/16/03	Lebl et. al.	
A81	6,620,584	9/16/03	Chee et. al.	
A82	6,544,732	4/8/03	Chee et. al.	
A83	6,429,027	8/6/02	Chee et. al.	
A84	6,396,995	5/28/02	Stuepnagel et. al.	
A85	6,355,431	3/12/02	Chee et. al.	
A86	US 2003/0032204	2/13/03	Walt et. al.	
A87	US 2003/0096239 A1	5/22/03	Gunderson et. al.	
A88	US 2003/0108867 A1	6/12/03	Chee et. al.	
A89	US 2003/0108900 A1	6/12/03	Oliphant et. al.	
A90	US 2002/0132221 A1	9/19/02	Chee et. al.	
A91	US 2002/0132241 A1	9/19/02	Fan et. al.	
A92	US 2002/0150909 A1	10/17/02	Stuepnagel et. al.	
A93	US 2002/0177141 A1	11/28/02	Chee et. al.	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> – Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	B1	WO 02/00336	01/03/02	Illumina, Inc.		
	B2	WO 93/22058	11/11/93	Trustees of University of Pennsylvania		
	B3	WO 93/22053	11/11/93	Trustees of University of Pennsylvania		
	B4	WO 93/11262	06/10/93	Bertin & CIE		

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO			<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			<i>Application Number</i>	10/795,603
(Use as many sheets as necessary)			<i>Filing Date</i>	March 8, 2004
			<i>First Named Inventor</i>	Donald Besemer
			<i>Art Unit</i>	2812
			<i>Examiner Name</i>	TBD
Sheet	4	of	4	Attorney Docket Number
			1067.1G	

B5	WO 93/09668	05/27/93	Affymax Technologies	
B6	WO 92/10588	06/25/92	Affymax Technologies	
B7	WO 92/10587	06/25/92	Affymax Technologies	
B8	WO 92/10092	06/25/92	Affymax Technologies	
B9	WO 90/15070	12/13/90	Affymax Technologies	
B10	WO 90/03382	04/05/90	Isis Innovation	
B11	WO 90/00626	01/25/90	Baylor College of Medicine	
B12	WO 89/10977	11/16/89	Isis Innovation	
B13	EP 0 417 305	03/20/91	Idemitsu Petrochemical	
B14	EP 0 378 968	07/25/90	CIBA Geigy AG et al.	
B15	EP 0 260 965	03/23/88	Pacific Biotech	

Examiner Signature	Date Considered
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